

REMARKS

I. INTRODUCTION

In response to the Office Action dated February 17, 2000, claim 18 has been amended and claims 40-69 have been underlined. Claims 1-69 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. TELEPHONE INTERVIEW

Record is made of a telephone interview between Examiner Kulik and George H. Gates, Applicants' attorney, that occurred on May 11, 2000. Various issues were discussed, including the underlining of the new claims 40-69, the previous submission of the Consent of the Assignee, and the submission of a Revised Statement of Errors in response to the defective declaration.

III. CLAIM AMENDMENTS

Applicants' attorney has made amendments to claim 18 and underlined claims 40-69 as indicated above. These amendments were made solely for the purpose of clarifying the language of the claims, and were not required to distinguish the claims over the prior art.

IV. DRAWINGS

As noted in section (2) of the Office Action, a separate letter requesting transfer of the drawings from the original patent file to the reissue application is required.

Applicants submit herewith a separate letter requesting such a transfer.

V. UNDERLINING OF CLAIMS

As noted in section (3) of the Office Action, the preliminary amendment was considered informal because the proposed amendments adding claims 40-69 do not comply with 37 CFR 1.121(e). Specifically, the claims were not underlined as required.

Applicants have underlined the claims as indicated above.

VI. CONSENT OF ASSIGNEES

In section (4) of the Office Action, the application was objected to as lacking the written consent of all assignees.

Applicants traverse this objection. On the Reissue Patent Application Transmittal form, the Consent of the Assignee is indicated as comprising either form PTO/SB/53 or form PTO/SB/54. Applicants submitted PTO/SB/54 with the filing of the application, along with a certificate under 3.73(b), although the box on the Reissue Patent Application Transmittal form labeled "Consent of the Assignee" was inadvertently not checked.

VII. DEFECTIVE REISSUE OATH

In sections (6)-(7) of the Office Action, the reissue oath was asserted to be defective because it allegedly failed to particularly specify the errors and/or how the errors relied upon arose or occurred. Specifically, the Office Action asserts that applicants state only they claimed less than they were entitled to claim because the patent claims include "various limitations that unduly narrow the scope of the claims" and that the new claims "provide a broad recitation of the applicants' invention." According to the Office Action, these statements do not particularly specify any errors in the patent and do not indicate how the errors arose.

Applicants submit herewith a Revised Statement of Error to overcome this objection.

VIII. SURRENDER OF ORIGINAL PATENT

In section (8), the Office Action noted that the original patent, or an affidavit or declaration as to the loss or inaccessibility of the original patent must be received before the reissue application can be allowed.

Applicants submit herewith the original patent.

IX. CONCLUSION

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

Paul C. Leung et al.

By their attorneys,

GATES & COOPER

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